

# United States Department of the Interior



## FISH AND WILDLIFE SERVICE Mountain-Prairie Region

IN REPLY REFER TO:  
BA/FOIA  
MS 60180

MAILING ADDRESS:  
Post Office Box 25486  
Denver Federal Center  
Denver, Colorado 80225-0486

STREET LOCATION:  
134 Union Blvd.  
Lakewood, Colorado 80228-1807

June 3, 2015

Paula Dinerstein  
PEER  
2000 P Street, NW, Suite 240  
Washington, D.C. 20036

REF: FWS-2014-01301

Dear Ms. Dinerstein:

This letter responds to your Freedom of Information Act (FOIA) request dated August 26, 2014, in which you requested:

*Documents related to the decision to negotiate a Fiscal Year 2013-2016 Annual Funding Agreement (AFA) between the United States Department of the Interior and the Confederated Salish and Kootenai Tribes of the Flathead Reservation (CSKT). Specifically, we request the following:*

- *All correspondence and communications:*
  - 1) *among FWS Region 6 officers and employees and*
  - 2) *between Region 6 officers and employees and FWS Headquarters or Department of Interior Headquarters officers and employees concerning or reflecting the need for, and any directive or guidance or discussion of entering negotiations for, an AF A with the CSKT concerning the National Bison Range or National Bison Range Complex.*
- *All correspondence and communications which reflect who determined that negotiations for a new AF A with the CSKT should be entered.*

On April 6, 2015, this request was expanded to include any records related to the AFA until September 2014.

We are enclosing a CD containing one-hundred sixteen (116) documents, which are released in their entirety. There were twelve (12) pages that we did not process as they were outside the scope of your request; specifically they were attachments to filename "Final R6 BP package for Dan's confirmation hearing" that discussed information not related to the NBR or AFA.

We are continuing to review additional records that may be responsive to your request. Once that review is complete we will provide you with our final response.

*Freedom of Information Act*

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, your appeal must be received no later than 30 workdays from the date of this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe the Service's response is in error. You must also include with your appeal copies of all correspondence between you and Service concerning your FOIA request, including your original FOIA request and Service's response. Failure to include with your appeal all correspondence between you and Service will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior  
Office of the Solicitor  
1849 C Street, N.W.  
MS-6556 MIB  
Washington, DC 20240  
Attn: FOIA/Privacy Act Appeals Office  
Telephone: (202) 208-5339  
Fax: (202) 208-6677  
Email: [FOIA.Appeals@sol.doi.gov](mailto:FOIA.Appeals@sol.doi.gov)

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

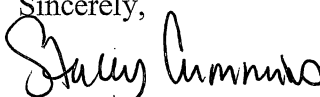
Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://ogis.archives.gov>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have any questions on your request you may contact me at 303-236-4473 or by email at [Stacey\\_Cummins@fws.gov](mailto:Stacey_Cummins@fws.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Stacey Cummins". The signature is fluid and cursive, with the first name "Stacey" written in a larger, more prominent script than the last name "Cummins".

Stacey Cummins  
Region 6 FOIA Office

